

By M. H. H. H.

5 J.R. No. 8

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the dedication of  
2 certain funds for highway purposes.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Article VIII of the Texas Constitution is amended  
5 by adding Section 7-b to read as follows:

6 Sec. 7-b. All revenues received from the federal government  
7 as reimbursement for state expenditures for acquiring rights-of-way  
8 and constructing, maintaining, and policing public roadways shall  
9 be used only for those purposes.

10 SECTION 2. This proposed constitutional amendment shall be  
11 submitted to the voters at an election to be held on November 8,  
12 1988. The ballot shall be printed to provide for voting for or  
13 against the proposition: "The constitutional amendment dedicating  
14 federal highway reimbursements for the purposes of acquiring  
15 rights-of-way and constructing, maintaining, and policing public  
16 roadways."

*Replaced by  
Floor Sub.*

# SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Hobby  
President of the Senate

July 16, 1987  
(date)/(time)

Sir:

We, your Committee on FINANCE to which was referred  
SJR 8 by Montford have on July 15, 1987, had the same  
(measure) (sponsor) (hearing date)

under consideration and I am instructed to report it back with the recommendation (s) that it

☒ do pass and be printed

☐ do pass and be ordered not printed

☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

Senate Sponsor of House Measure \_\_\_\_\_

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Jones, Chairman	<input checked="" type="checkbox"/>			
Glasgow, Vice Chairman			<input checked="" type="checkbox"/>	
Blake	<input checked="" type="checkbox"/>			
Brooks	<input checked="" type="checkbox"/>			
Caperton	<input checked="" type="checkbox"/>			
Farabee	<input checked="" type="checkbox"/>			
Harris	<input checked="" type="checkbox"/>			
Krier	<input checked="" type="checkbox"/>			
McFarland	<input checked="" type="checkbox"/>			
Montford	<input checked="" type="checkbox"/>			
Parker	<input checked="" type="checkbox"/>			
Santiesteban	<input checked="" type="checkbox"/>			
Truan	<input checked="" type="checkbox"/>			
TOTAL VOTES	7		1	

Kim Franks  
COMMITTEE CLERK

Gary Jones  
CHAIRMAN

Paper clip the original and one copy of this form to the original bill and retain one copy for your file.

BILL ANALYSIS  
70th Legislature, 2nd C.S.

By: Montford

S.J.R. 8

BACKGROUND

Under current law, federal highway reimbursements to the State are deposited to the State Highway Fund. The question of whether federal highway reimbursements are constitutionally dedicated is the subject of a current request for an Attorney General's opinion.

PURPOSE

The resolution proposes a constitutional amendment that would declare the federal highway reimbursements to be dedicated for the purposes of acquiring right-of-way and constructing, maintaining, and policing roadways.

RULEMAKING AUTHORITY

None.

SECTION-BY-SECTION ANALYSIS

SECTION 1. Amends Article VII of the Texas Constitution, to add Section 7-b to restrict the uses of federal highway reimbursements to acquiring right-of-way and constructing, maintaining, and policing roadways.

SECTION 2. To be voted on November 8, 1988.

Committee on Finance

07/15/87

RS/kf

AMEND THE CAPTION TO CONFORM  
TO THE BODY OF THE BILL

ADOPTED

JUL 16 1987

*Barry King*  
Secretary of the Board

By: Montford

S.J.R. No. 78

Substitute the following for S.J.R. No. 78:

By Montford

C.S.S.J.R. No. 78

SENATE

A JOINT RESOLUTION

proposing a constitutional amendment relating to the dedication of certain funds for highway purposes and amending <sup>Section 2,</sup> H.J.R. 2, Acts of the 70th Legislature, Regular Session, 1987, relating to date of election.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

~~SECTION 1. Article VIII of the Texas Constitution is amended~~

~~by adding Section 7-b to read as follows:~~

~~Sec. 7-b. All revenues received from the federal government as reimbursement for state expenditures of funds that are dedicated for acquiring rights-of-way and constructing, maintaining, and policing public roadways are also dedicated and shall be used only for those purposes.~~

~~SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 8, 1988. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment dedicating federal highway reimbursements for the purposes of acquiring rights-of-way and constructing, maintaining, and policing public roadways."~~

ADOPTED

JUL 16 1987

*Betty King*  
Secretary of the Senate

*Floor Am. # 1*  
*7/18/87 7/16/87*

I certify that the attached is a true and correct  
copy of the bill which was  
received from the Senate on JUL 16 1987  
returned to the Committee on Ways and Means

1987 JUL 16 PM 3:21  
HOUSE OF REPRESENTATIVES

By: Montford  
(Lewis of Tarrant,  
Schlueter)

S.J.R. No. 8

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the dedication of  
certain funds for highway purposes.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article VIII of the Texas Constitution is amended  
by adding Section 7-b to read as follows:

Sec. 7-b. All revenues received from the federal government  
as reimbursement for state expenditures of funds that are dedicated  
for acquiring rights-of-way and constructing, maintaining, and  
policing public roadways are also dedicated and shall be used only  
for those purposes.

SECTION 2. This proposed constitutional amendment shall be  
submitted to the voters at an election to be held on November 8,  
1988. The ballot shall be printed to provide for voting for or  
against the proposition: "The constitutional amendment dedicating  
federal highway reimbursements for the purposes of acquiring  
rights-of-way and constructing, maintaining, and policing public  
roadways."

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

July 15, 1987

TO: Honorable Grant Jones, Chairman      In Re: Senate Joint Resolution No. 8  
Committee on Finance                      Second Called Session  
Senate Chamber                              By: Montford  
Austin, Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 8 (proposing a constitutional amendment relating to the dedication of certain funds for highway purposes) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would add Section 7-b to Article VIII of the Texas Constitution. Section 7-b would make federal government reimbursement for state expenditures for acquiring rights-of-way and constructing, maintaining, and policing public roadways constitutional funds that can be used only for the above purposes.

Assuming the enactment of House Bill No. 62 and House Bill No. 63 during the 70th Legislature, Second Called Session, or similar legislation there would be no fiscal implications to the General Revenue Fund of the State.

The fiscal implication to the State would be to restrict the use of certain federal funds to specific purposes thereby limiting the future choices of the Legislature.

The cost of publication of the resolution to the State is estimated to be \$45,000.

No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, LV

# HOUSE COMMITTEE REPORT

1st Printing

1987 JUL 17 AM 2:34  
HOUSE OF REPRESENTATIVES

By: Montford  
(Lewis of Tarrant,  
Schlueter)

S.J.R. No. 8

## SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the dedication of certain funds for highway purposes.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article VIII of the Texas Constitution is amended by adding Section 7-b to read as follows:

Sec. 7-b. All revenues received from the federal government as reimbursement for state expenditures of funds that are dedicated for acquiring rights-of-way and constructing, maintaining, and policing public roadways are also dedicated and shall be used only for those purposes.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 8, 1988. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment dedicating federal highway reimbursements for the purposes of acquiring rights-of-way and constructing, maintaining, and policing public roadways."



2 Amend S.J.R. No. 8 by adding a new section to be numbered  
3 appropriately and to read as follows:

4           SECTION \_\_.     Section   2,   H.J.R.  2,  Acts  of  the  70th  
5   Legislature, Regular Session, 1987, is amended to read as follows:

6        Sec. 2.    This proposed constitutional amendment shall be  
7        submitted to the voters at an election to be held on November 8,  
8        1988 [~~November--3,--1987~~]. The ballot shall be printed to provide  
9        for voting for or against the proposition: "The constitutional  
0        amendment establishing an economic stabilization fund in the state  
1        treasury to be used to offset unforeseen shortfalls in revenue."

2 Schlueter

3 COMMITTEE AMENDMENT NO. 2

4 Amend S.J.R. No. 8 by striking Sections 1 and 2 and  
5 substituting the following:

SECTION 1. Article VIII of the Texas Constitution is amended  
and/or clarified by adding Section 7-b to read as follows:

8        Sec. 7-b. All revenues received from the federal government  
9        as reimbursement for state expenditures of funds that are  
0        themselves dedicated for acquiring rights-of-way and constructing,  
1        maintaining, and policing public roadways are also constitutionally  
2        dedicated and shall be used only for those purposes.

SECTION 2. This proposed constitutional amendment and/or clarification shall be submitted to the voters at an election to be held on November 8, 1988. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment and/or clarification providing that federal reimbursement

S.J.R. No. 8

1 of state highway dedicated funds are themselves dedicated for the  
2 purpose of acquiring rights-of-way and constructing, maintaining,  
3 and policing public roadways."

4 Schlueter

# COMMITTEE REPORT

The Honorable Gib Lewis  
Speaker of the House of Representatives

7-16-87  
(date)

Sir:

We, your COMMITTEE ON WAYS & MEANS,

to whom was referred SJR 8 have had the same under consideration and beg to report  
(measure)  
back with the recommendation that it

( ) do pass, without amendment.

☒ do pass, with amendment(s).

( ) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ☒ yes ( ) no

An actuarial analysis was requested. ( ) yes ☒ no

An author's fiscal statement was requested. ( ) yes ☒ no

The Committee recommends that this measure be placed on the ~~(Local)~~ or ~~(Consent)~~ Calendar.

This measure ( ) proposes new law. ☒ amends existing law.

House Sponsor of Senate Measure Lewis, G. / Schluter

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Schluter, Ch.	✓			
Morales, V.C.	✓			
Geistweidt, C.B.O.				✓
Berlanga	✓			
Craddick				✓
Earley	✓			
Evans, L.	✓			
Hackney				✓
Hilbert	✓			
Luna, A.	✓			
McDonald	✓			
Wilson	✓			
Wolens				✓

Total

9 aye

- 0 - nay

- 0 - present, not voting

4 absent

[Signature]  
CHAIRMAN

Laura Coljee  
COMMITTEE COORDINATOR

COMMITTEE ON WAYS AND MEANS

BILL ANALYSIS

SJR 8 by Montford (G. Lewis/Schlueter)

BACKGROUND INFORMATION

The federal government reimburses the state for certain highway expenditures. These reimbursements are not specifically dedicated for highways by the state Constitution.

PURPOSE

To constitutionally dedicate federal highway reimbursements for highway purposes.

SYNOPSIS

This resolution would allow voters on November 8, 1988 to vote on a constitutional amendment holding that federal highway reimbursements to the state are dedicated for highway spending.

RULEMAKING AUTHORITY:

It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SUMMARY OF COMMITTEE ACTION:

SJR 8 was considered in a formal meeting on 7-16-87. No one testified for or against the bill. Representative Schlueter sent up committee amendment #1 which was adopted without objection and changes the general election date of HJR 2, 70th Regular Session, from 1987 to 1988. Representative Schlueter sent up committee amendment #2 which was adopted without objection and clarifies the intent of the bill. The motion to report the bill favorably as amended carried by a vote of 9 ayes, 0 nays, 0 PNV, with 4 absent.

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

July 16, 1987

TO: Honorable Stan Schlueter, Chair      In Re: Senate Joint Resolution No. 8,  
Committee on Ways and Means                      as engrossed  
House of Representatives                      Second Called Session  
Austin, Texas                      By: Montford

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 8, as engrossed (proposing a constitutional amendment relating to the dedication of certain funds for highway purposes) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would add Section 7-b to Article VIII of the Texas Constitution. Section 7-b would make federal government reimbursement for state expenditures of funds that are dedicated for acquiring rights-of-way and constructing, maintaining, and policing public roadways constitutional funds that can be used only for the above purposes.

Assuming the enactment of House Bill No. 62 and House Bill No. 63 during the 70th Legislature, Second Called Session, or similar legislation there would be no fiscal implications to the General Revenue Fund of the State.

The fiscal implication to the State would be to restrict the use of certain federal funds to specific purposes thereby limiting the future choices of the Legislature.

The cost of publication of the resolution to the State is estimated to be \$45,000.

No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, NH

3

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

July 15, 1987

TO: Honorable Grant Jones, Chairman      In Re: Senate Joint Resolution No. 8  
Committee on Finance                      Second Called Session  
Senate Chamber                              By: Montford  
Austin, Texas

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4



S.J.R. No. 8

1 of state highway dedicated funds are themselves dedicated for the  
2 purpose of acquiring rights-of-way and constructing, maintaining,  
3 and policing public roadways."

4 Schlueter



*Ze*

Committee Amendment No. 1

Amend S.J.R. No. 8 by adding a new  
Section to be numbered appropriately  
and to read as follows:

SECTION 3. Section 2, H.J.R. 2, Acts of the 70th Legislature,  
Regular Session, 1987, is amended to read as follows:

Sec. 2. This proposed constitutional amendment shall be submitted  
to the voters at an election to be held on November 8, 1988 ~~November 3,~~  
1987]. The ballot shall be printed to provide

for voting for or against the proposition: "The constitutional  
amendment establishing an economic stabilization fund in the state  
treasury to be used to offset unforeseen shortfalls in revenue."

*H* 7/18/87

**ADOPTED**

JUL 18 1987

*Betty Murray*  
Chief Clerk  
House of Representatives

House Am. # ①  
7/18/87

Committee Amendment No. 2  
Schlvs 5

Amend SJR. No. 8 by striking  
Sections 1 and 2 and substituting  
the following:

SECTION 1. Article VIII of the Texas Constitution is amended<sup>ed</sup>  
and/or clarified by adding Section 7-b to read as follows:

Sec. 7-b. All revenues received from the federal government as  
reimbursement for state expenditures of funds that are themselves  
dedicated for acquiring rights-of-way and constructing, maintaining,  
and policing public roadways are also constitutionally dedicated and  
shall be used only for those purposes.

SECTION 2. This proposed constitutional amendment and/or  
clarification shall be submitted to the voters at an election to be held  
on November 8, 1988. The ballot shall be printed to provide for voting  
for or against the proposition: "The constitutional amendment and/or  
clarification providing that federal reimbursement of state highway  
dedicated funds are themselves dedicated for the purpose of acquiring  
rights-of-way and constructing, maintaining, and policing public  
roadways."

XO 7/18/87

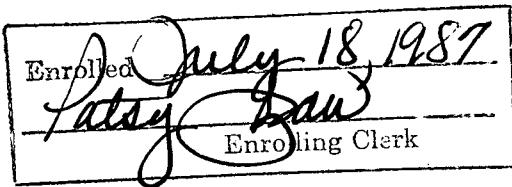
VB 7/18

**ADOPTED**

JUL 18 1987

Betty Murray  
Chief Clerk  
House of Representatives

House Am. # ②  
7/18/87



S.J.R. No. 8

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the dedication of certain funds for highway purposes and amending Section 2, H.J.R. 2, Acts of the 70th Legislature, Regular Session, 1987, relating to date of election.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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SECTION 3. Section 2, H.J.R. 2, Acts of the 70th Legislature, Regular Session, 1987, is amended to read as follows:

Sec. 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 8,

See

S.J.R. No. 8

1 1988 [37--1987]. The ballot shall be printed to provide for voting  
2 for or against the proposition: "The constitutional amendment  
3 establishing an economic stabilization fund in the state treasury  
4 to be used to offset unforeseen shortfalls in revenue."

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.J.R. No. 8 was adopted by the Senate on July 16, 1987, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendments on July 18, 1987, by the following vote: Yeas 27, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.J.R. No. 8 was adopted by the House, with amendments, on July 18, 1987, by the following vote: Yeas 131, Nays 13.

\_\_\_\_\_  
Chief Clerk of the House

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

July 16, 1987

TO: Honorable Stan Schlueter, Chair      In Re: Senate Joint Resolution No. 8,  
Committee on Ways and Means              as engrossed  
House of Representatives                      Second Called Session  
Austin, Texas                                      By: Montford

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 8, as engrossed (proposing a constitutional amendment relating to the dedication of certain funds for highway purposes) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would add Section 7-b to Article VIII of the Texas Constitution. Section 7-b would make federal government reimbursement for state expenditures of funds that are dedicated for acquiring rights-of-way and constructing, maintaining, and policing public roadways constitutional funds that can be used only for the above purposes.

Assuming the enactment of House Bill No. 62 and House Bill No. 63 during the 70th Legislature, Second Called Session, or similar legislation there would be no fiscal implications to the General Revenue Fund of the State.

The fiscal implication to the State would be to restrict the use of certain federal funds to specific purposes thereby limiting the future choices of the Legislature.

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No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, NH

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

July 15, 1987

TO: Honorable Grant Jones, Chairman      In Re: Senate Joint Resolution No. 8  
Committee on Finance                      Second Called Session  
Senate Chamber                              By: Montford  
Austin, Texas

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Source: LBB Staff: JO, HES, JWH, LV

100  
C

S.J.R. No. 8

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.J.R. No. 8 (1) was adopted by the Senate on July 16 (2), 1987, by the following vote:

Yeas 30 (3), Nays 0 (4); and that the Senate concurred in House amendments on July 18, 1987 by the following vote: Yeas 27, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.J.R. No. 8 (1) was adopted by the House <sup>with amendments,</sup> on July 18 (5), 1987, by the following vote:

Yeas 131 (6), Nays 13 (7).

\_\_\_\_\_  
Chief Clerk of the House

S. J. R. No. 8

By M. H. H. H.

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the dedication of certain funds for highway purposes.

JUL 15 1987 Filed with the Secretary of the Senate  
JUL 16 1987 Read and referred to Committee on FINANCE  
JUL 16 1987 Reported favorably \_\_\_\_\_  
JUL 16 1987 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.  
JUL 16 1987 Ordered not printed  
Laid before the Senate  
JUL 16 1987 Senate and Constitutional Rules to permit consideration suspended by: unanimous consent  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays  
JUL 16 1987 Read second time, amended, and ordered engrossed by: unanimous consent  
a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays  
JUL 16 1987 Caption ordered amended to conform to the body of the bill.  
JUL 16 1987 Senate and Constitutional 3 Day Rule suspended by a vote of 29 yeas, 1 nays.  
JUL 16 1987 Read third time, \_\_\_\_\_, and passed by 30 yeas, 0 nays.

Betty King  
SECRETARY OF THE SENATE

OTHER ACTION:

July 16, 1987 Engrossed  
July 16, 1987 Sent to House  
Patsy Grew  
Engrossing Clerk  
JUL 16 1987 Received from the Senate  
JUL 16 1987 Read first time and referred to Committee on Ways + Means  
JUL 16 1987 Reported favorably amended, sent to Printer 8:45 pm  
JUL 17 1987 Printed and Distributed 2:34 am JUL 16 1987  
JUL 17 1987 Sent to Committee on Calendars 8:13 am  
JUL 18 1987 Read second time amended and finally adopted  
~~failed adoption~~ by Record Vote of 131 yeas, 13 nays, 0 present not voting.  
JUL 18 1987 Read third time (amended) and finally adopted  
failed adoption by a Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present not voting.  
JUL 18 1987 Caption ordered amended to conform to body of resolution  
JUL 18 1987 Returned to Senate.  
JUL 18 1987 Returned from House without amendment.  
JUL 18 1987 Returned from House with 2 amendments.  
JUL 18 1987 Concurred in House amendments by a viva voce vote 27 yeas, 0 nays.

Betty Murray  
CHIEF CLERK OF THE HOUSE



\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

**OTHER ACTION:**

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

1987 JUL 17 AM 2:34

HOUSE OF REPRESENTATIVES